

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,

v.

PICCOLO PROPERTIES LP, et al.,
Defendants.

Case No. 15-cv-05491-DMR

**ORDER REQUESTING RESPONSE;
DISCHARGING ORDER TO SHOW
CAUSE**

Re: Dkt. Nos. 22, 29

Defendants Carmelo Piccolo and Piccolo Properties LP filed a motion to stay and for an early evaluation conference [Docket No. 22] on January 11, 2016. Pursuant to Civil Local Rule 7-3(a), any brief in opposition to Defendants' motion was due on January 25, 2016. On January 27, 2016, the court issued an Order to Show Cause to Plaintiff Scott Johnson, ordering that he respond to Defendants' motion and show cause for his failure to respond to the motion in accordance with Civil Local Rule 7-3(a), or alternatively to file a statement of non-opposition as required by Civil Local Rule 7-3(b). Docket No. 28. On February 9, 2016, Plaintiff filed a response to the Order to Show Cause, indicating that his failure to respond to the motion was the result of a calendaring error, and requesting that the court accept his Opposition to Defendant Res-Care's motion [Docket No. 26] as responsive to Defendants Carmelo Piccolo and Piccolo Properties LP's motion to stay because the issues raised in both motions are identical. Docket No. 29.

The court discharges the order to show cause, and accept the opposition as requested by Plaintiff. Defendants Piccolo Properties, LP and Carmelo Piccolo shall file any reply by February 16, 2016.

The hearing set for February 25, 2016 is hereby continued to March 10, 2016 at 11:00 A.M.

IT IS SO ORDERED.

1 Dated: February 10, 2016



Donna M. Ryu
United States Magistrate Judge

United States District Court
Northern District of California

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